


EXHIBIT A

PLD-PI-001

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Marc Rosenberg SBN 174592 Law Offices of Marc C. Rosenberg 21550 Oxnard Street, Ste. 630 Woodland Hills, CA 91367 TELEPHONE NO: 818-776-0012 FAX NO. (Optional): 818-776-0892 E-MAIL ADDRESS (Optional): marc@marcslaw.com ATTORNEY FOR (Name): Plaintiff Zubin Levy	FOR COURT USE ONLY <div style="border: 2px solid black; padding: 10px; margin: 10px auto; width: 80%;"> Electronically FILED by Superior Court of California County of Ventura 10/22/2021 Brenda L. McCormick Executive Officer and Clerk  Crista Alvarez Deputy Clerk </div>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA STREET ADDRESS: 800 South Victoria Avenue MAILING ADDRESS: 800 South Victoria Avenue CITY AND ZIP CODE: Ventura 93009 BRANCH NAME: HALL OF JUSTICE	CASE NUMBER: 56-2021-00559248-CU-PO-VTA
PLAINTIFF: ZUBIN LEVY DEFENDANT: LOWE'S COMPANIES INC. <input checked="" type="checkbox"/> DOES 1 TO 25	
COMPLAINT—Personal Injury, Property Damage, Wrongful Death <input type="checkbox"/> AMENDED (Number): Type (check all that apply): <input type="checkbox"/> MOTOR VEHICLE <input checked="" type="checkbox"/> OTHER (specify): Premises Liability <input type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death <input checked="" type="checkbox"/> Personal Injury <input type="checkbox"/> Other Damages (specify):	
Jurisdiction (check all that apply): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000 <input checked="" type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited	

1. **Plaintiff (name or names):** Zubin Levy
 alleges causes of action against **defendant (name or names):**
 Lowe's Companies Inc.
2. This pleading, including attachments and exhibits, consists of the following number of pages: 5
3. Each plaintiff named above is a competent adult
 - a. ☐ **except plaintiff (name):**
 - (1) ☐ a corporation qualified to do business in California
 - (2) ☐ an unincorporated entity (describe):
 - (3) ☐ a public entity (describe):
 - (4) ☐ a minor ☐ an adult
 - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) ☐ other (specify):
 - (5) ☐ other (specify):
 - b. ☐ **except plaintiff (name):**
 - (1) ☐ a corporation qualified to do business in California
 - (2) ☐ an unincorporated entity (describe):
 - (3) ☐ a public entity (describe):
 - (4) ☐ a minor ☐ an adult
 - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) ☐ other (specify):
 - (5) ☐ other (specify):

☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

Page 1 of 3

PLD-PI-001

SHORT TITLE:

LEVY v. LOWE'S COMPANIES INC.

CASE NUMBER:

4. ☐ Plaintiff (name):
is doing business under the fictitious name (specify):

and has complied with the fictitious business name laws.
5. Each defendant named above is a natural person
- a. ☒ **except** defendant (name): Lowe's Companies Inc.
 (1) ☐ a business organization, form unknown
 (2) ☒ a corporation
 (3) ☐ an unincorporated entity (describe):
 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- c. ☐ **except** defendant (name):
 (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):
 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- b. ☐ **except** defendant (name):
 (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):
 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- d. ☐ **except** defendant (name):
 (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):
 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- ☐ Information about additional defendants who are not natural persons is contained in Attachment 5.
6. The true names of defendants sued as Does are unknown to plaintiff.
- a. ☐ Doe defendants (specify Doe numbers): _____ were the agents or employees of other named defendants and acted within the scope of that agency or employment.
- b. ☐ Doe defendants (specify Doe numbers): _____ are persons whose capacities are unknown to plaintiff.
7. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (names):
8. This court is the proper court because
- a. ☐ at least one defendant now resides in its jurisdictional area.
- b. ☐ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
- c. ☒ injury to person or damage to personal property occurred in its jurisdictional area.
- d. ☐ other (specify):
9. ☒ Plaintiff is required to comply with a claims statute, and
- a. ☒ has complied with applicable claims statutes, or
- b. ☐ is excused from complying because (specify):

PLD-PI-001

SHORT TITLE:

LEVY v. LOWE'S COMPANIES INC.

CASE NUMBER:

10. The following causes of action are attached and the statements above apply to each (*each complaint must have one or more causes of action attached*):

- a. ☐ Motor Vehicle
- b. ☒ General Negligence
- c. ☐ Intentional Tort
- d. ☐ Products Liability
- e. ☒ Premises Liability
- f. ☐ Other (*specify*):

11. Plaintiff has suffered

- a. ☒ wage loss
- b. ☐ loss of use of property
- c. ☒ hospital and medical expenses
- d. ☒ general damage
- e. ☐ property damage
- f. ☒ loss of earning capacity
- g. ☒ other damage (*specify*):
General and special damages according to proof at the time of trial.

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Attachment 12.
- b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. **Plaintiff prays** for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☒ compensatory damages
- (2) ☐ punitive damages

The amount of damages is (*in cases for personal injury or wrongful death, you must check (1)*):

- (1) ☒ according to proof
- (2) ☐ in the amount of: \$

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows (*specify paragraph numbers*):

Date: October 22, 2021

Marc Rosenberg

(TYPE OR PRINT NAME)


(SIGNATURE OF PLAINTIFF OR ATTORNEY)

PLD-PI-001(2)

SHORT TITLE:
LEVY v. LOWE'S COMPANIES INC.

CASE NUMBER:

FIRST

CAUSE OF ACTION—General Negligence

Page 4

(number)

ATTACHMENT TO ☒ Complaint ☐ Cross-Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): ZUBIN LEVY

alleges that defendant (name): LOWE'S COMPANIES INC.

☒ Does 1 to 25

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date): May 2, 2019

at (place): Lowe's Home Improvement, 500 South Mills Road, Ventura, CA 93003

(description of reasons for liability):

The Defendants, and each of them, owned, occupied, operated, controlled, supervised, rented, leased, subleased, assigned, managed and maintained certain real property and premises and appurtenant fixtures (collectively, the "the Premises") known as the Lowe's Home Improvement located at 500 South Mills Road, Ventura, CA 93003.

The Defendants failed to use ordinary care in the use, maintenance and management of their premises, thereby exposing the Plaintiff to an unreasonable risk of harm and/or injury.

The Defendants had actual and/or constructive notice and knowledge of the dangerous conditions created by them and existing on their premises, including, but not limited to, the placement of fabric merchandise on high dowels.

As a direct and proximate result of the Defendants' negligence, an improperly secured dowel holding bolts of fabric fell on Plaintiff's leg, causing severe injury.

The Defendants failed to inspect, remedy, repair and warn of the dangerous conditions in a timely manner so as to prevent foreseeable harm or injury to others, including the Plaintiff.

The Defendants' failure to properly maintain, manage and repair the premises was the direct and proximate cause of bodily injuries and damages to the Plaintiff.

The Defendants' failure to properly advise, alert and/or warn the Plaintiff of the dangerous conditions on their premises was in direct and proximate cause of bodily injuries and damages to the Plaintiff.

PLD-PI-001(4)

SHORT TITLE:
LEVY v. LOWE'S COMPANIES INC.

CASE NUMBER:

SECOND

(number)

CAUSE OF ACTION—Premises Liability

Page 5

ATTACHMENT TO ☒ Complaint ☐ Cross-Complaint

(Use a separate cause of action form for each cause of action.)

Prem.L-1. (name): Zubin Levy

alleges the acts of defendants were the legal (proximate) cause of damages to plaintiff.

On (date): May 2, 2019

plaintiff was injured on the following premises in the following

fashion (description of premises and circumstances of injury):

The Defendants, and each of them, owned, occupied, operated, controlled, supervised, leased, managed and maintained certain real property, located at 500 South Mills Road, Ventura, CA 93003. The Defendants failed to use ordinary care in the use, maintenance and management of the real property and premises, thereby exposing the Plaintiff to an unreasonable risk of harm. The Defendants had actual and/or constructive notice and knowledge of the dangerous conditions existing on the premises, including, but not limited to the placement of fabric merchandise on high dowels, and failed to inspect, remedy and repair the conditions in a timely manner.

Prem.L-2. ☒ **Count One—Negligence** The defendants who negligently owned, maintained, managed and operated the described premises were (names):
Lowe's Companies Inc.

☒ Does 1 to 25

Prem.L-3. ☒ **Count Two—Willful Failure to Warn** [Civil Code section 846] The defendant owners who willfully or maliciously failed to guard or warn against a dangerous condition, use, structure, or activity were (names):

☒ Does 1 to 25Plaintiff, a recreational user, was ☒ an invited guest ☐ a paying guest.

Prem.L-4. ☐ **Count Three—Dangerous Condition of Public Property** The defendants who owned public property on which a dangerous condition existed were (names):

☐ Does to

a. ☐ The defendant public entity had ☐ actual ☐ constructive notice of the existence of the dangerous condition in sufficient time prior to the injury to have corrected it.

b. ☐ The condition was created by employees of the defendant public entity.

Prem.L-5.a. ☒ **Allegations about Other Defendants** The defendants who were the agents and employees of the other defendants and acted within the scope of the agency were (names):

☒ Does 1 to 25

b. ☐ The defendants who are liable to plaintiffs for other reasons and the reasons for their liability are ☐ described in attachment Prem.L-5.b ☐ as follows (names):

Page 1 of 1